

# **CFMH**

## **ORDINANCE AMENDMENTS**

**ORDINANCE 8333:**

**AMENDS SECTION 5.14.030**

**ORDINANCE 8343:**

**AMENDS SECTIONS 5.142.050 & 5.142.060**

**ORDINANCE 8344:**

**AMENDS SECTION 5.142.050**

ORDINANCE 8333

AN ORDINANCE TO AMEND ORDINANCE 8186, SECTION 5.14.030

ISSUANCE OF BUSINESS LICENSE

Whereas, the City of Granite City is a home rule unit per Article VII Section 6 of the Illinois State Constitution of 1970; and

Whereas, the City Council of the City of Granite City finds that it is beneficial to the success of its Crime Free Housing Program that all property managers also attend the seminar conducted by the Granite City Police Department for lessors.

Now therefore, be it ordained by the City Council of the City of Granite City, Illinois as follows. Chapter 5.142 specifically section 5.142.030 subsection (A) of the Granite City Municipal Code is hereby amended as follows:

1. 5.142.030 ISSUANCE OF LICENSE.

No residential rental unit shall qualify for a new business license unless the applicant lessor first documents to office of the City Inspector:

A. The lessor and his property manager, should he have one, has/have, or will attend and successfully complete, a seminar conducted or authorized by the Granite City police chief for lessors of residential rental units, no more than three months after the issuance or renewal of the business license,

1. For the purposes of this section only a property manager shall be considered an agent of the property owner; and
2. Any new property managers hired during the term of the business license shall be required to attend and successfully complete said seminar no later than three (3) months after hiring.

- 2 All other sections of 5.142.030 shall remain in full force and effect.
- 3 This amended Ordinance shall take effect on February 28, 2013.

PASSED this 15<sup>th</sup> day of January, 2013

APPROVED: Ed Hagnauer

Mayor Edward Hagnauer

ATTEST: Judy Whitaker

City Clerk Judy Whitaker

77084

ORDINANCE 8343  
AN ORDINANCE AMENDING EXHIBIT B - LEASE ADDENDUM  
FOR CRIME FREE HOUSING OF SECTIONS 5.142.050 & 5.142.060  
OF THE GRANITE CITY MUNICIPAL CODE

Whereas, the City of Granite City is a home rule unit per article VII section 6 of the Illinois State Constitution of 1970; and

Whereas, the City Council of Granite City finds that the rental and lease of residential housing is a common business within the City of Granite City which should be regulated to help reduce the risk of neighborhood property devaluation, to reduce the risk of crime and to promote the public safety and welfare; and

Whereas, it is the intent of this Ordinance to continue to discourage the use of residential properties as a haven for criminal activity and drug related offenses; and

Whereas, the City Council of Granite City finds that the regulation of rental and lease residential housing will be better served by amending the Lease Addendum for Crime Free Housing to include as prohibited all Forcible Felonies no matter where said felony occurs and all criminal activity within the city limits of the City of Granite City, revised Lease Addendum for Crime Free Housing attached here to as Exhibit A;

Whereas, it is not the intention of this Ordinance to in any way discourage victims of domestic violence or dating violence, from contacting law enforcement authorities.

Now therefore, be it ordained by the City Council of the City of Granite City, Illinois that the Lease Addendum for Crime Free Housing currently referenced as Exhibit B in the Granite City Municipal Code

Section 5.142.050 Subparagraph C(3) and Section 5.142.060 shall be amended as indicated in Exhibit A. The effective date of this Amendment shall be June 1, 2013.

Passed this 2nd day of April, 2013.

APPROVE: Ed Hagnauer  
Mayor Edward Hagnauer

ATTEST:

Judy Whitaker  
City Clerk Judy Whitaker

## LEASE ADDENDUM FOR CRIME FREE HOUSING

In consideration of the execution of a lease of the dwelling unit identified in the lease, Lessee and Lessor agree as follows:

1. Lessee or any member of lessee's household, shall not engage in criminal activity, including drug-related criminal activity, within the city limits of the City of Granite City. "Drug-related criminal activity" means the illegal manufacture, sale distribution, use or possession with intent to manufacture, sell, distribute, or use a controlled substance (as defined in section 102 of the Controlled Substance Act 21 U.S.C sect 12).
2. Lessee's guest or other person under the lessee's control shall not engage in criminal activity, including drug-related criminal activity, on or near the premise. "Drug-related criminal activity" means the illegal manufacture, sale distribution, use or possession with intent to manufacture, sell, distribute, or use a controlled substance (as defined in section 102 of the Controlled Substance Act 21 U.S.C sect 12).
3. Lessee or members of lessee's household, shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity within the city limits of the City of Granite City.
4. Lessee's guest or other person under the lessee's control shall not engage in any act intended to facilitate criminal activity, including drug related criminal activity, on or near the property premise, regardless of whether or not the individual engaging in such activity is a household member or guest.
5. Lessee or a member of the lessee's household will not engage in the manufacture, sale, possession or distribution of illegal drugs at any location whether on or near property premise or otherwise.
6. Lessee, any member of the lessee's shall not engage in acts of violence or threats of violence, including but not limited to, the unlawful discharge of firearms within the city limits of the City of Granite City.
7. Lessee's guest or other person under the lessee's control shall not engage in acts of violence or threats of violence, including but not limited to, the unlawful discharge of firearms, on or near property premise.
8. Lessee, or a member of lessee's household, shall not engage in any criminal activity found to be equivalent to a Forcible Felony at any location, on the property premise or otherwise. "FORCIBLE FELONY" is defined as treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individuals. (720 ILCS 5/2-8).
9. VIOLATION OF ANY OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF TENANCY. A single violation of the provisions of this addendum shall be deemed a serious violation and material noncompliance with the lease. It is understood and agreed that a single violation of any of the provisions listed above shall be good cause

for termination of lease, unless otherwise provided by law. Proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

10. In case of conflict between the provisions of this addendum and any other provision of the lease, the provisions of this addendum shall govern.

11. This lease is incorporated into the lease between the Owner/Landlord or its agent and lessee.

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PROPERTY ADDRESS

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LESSEE

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DATE

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OWNER/LANDLORD/AGENT

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LESSEE

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DATE

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OWNER/LANDLORD/AGENT

77742

ORDINANCE 8344  
AN ORDINANCE AMEND SECTION 5.142.050 OF  
THE GRANITE CITY MUNICIPAL CODE

Whereas, the City of Granite City is a home rule unit per Article VII Section 6 of the Illinois State Constitution of 1970; and

Whereas, the City Council of the City of Granite City finds that it is in the best interest of the City of Granite City to regulate the business of rental property in the City of Granite City to reduce the risk of neighborhood property devaluation, to reduce the risk of crime and to promote the public safety and welfare; and

Whereas, the City Council of the City of Granite City finds that it is in the best interest of the City of Granite City to allow alleged violations of the Housing Code as defined in Section 5.142.050 to be presented to the Administrative Hearing Officer, as opposed to the current protocol which requires adjudication by the Mayor only.

Now therefore, be it ordained by the City Council of Granite City, Illinois, as follows, Chapter 5.142 Section 5.142.050 of the Granite City Municipal Code is hereby amended as follows:



5.142.050 License violation: fine, suspension and revocation.

~~The office of the mayor may conduct hearings per Granite City Municipal Code Section 5.02.190 et seq., to suspend or revoke the business license of a lessor of residential property, in accordance with city ordinance, where after notice and hearing the mayor finds applicable any of the following subsections:~~

1. A citation may be issued by any designated agent or officer of the City of Granite City, as designated and specified in this Granite City Municipal Code Section 15.08 et seq, to a licensee under this Granite City Municipal Code Chapter 5.142 et seq. if it is determined there are reasonable grounds to believe said licensee has violated any of the following subsections:

A. The lessor of the residential rental unit allowed or permitted the commission of any act or omission constituting a felony under Illinois law, on the leased premises or on common areas related to the leased premises, or

B. The commission of four or more violations of city ordinances within any six-month period, within the residential unit, or on common areas related to the rental unit, or

C. The failure of the licensed lessor to take prompt, diligent and lawful steps to remove the lessees from possession of the rental unit;

1. Following notice of the commission of a felony in the rental unit where allowed or permitted by lessee, or

2. Following notice of four ordinance violations in the residential rental unit, where allowed or permitted by lessee, or

3. Following notice of other violation of the crime-free housing lease addendum, exhibit B, as now or as hereafter amended, where violation of that lease addendum expressly constitutes good cause for termination of the lease.

D. Failure to comply with any requirement of Section 5.142.030 or Section 5.142.040 of this Granite City Municipal Code, including, but not limited to, failure to pay liquidated judgments and liens owed the city.

E. Failure to comply with Section 5.142.060 of this Granite City Municipal Code.

F. Any act of lessee, or guest of a lessee, constituting abuse or harassment of a family or household member under the Illinois Domestic Violence Act (750 ILCS 60 et seq.) as now or as here after amended, shall not, by itself, constitute solely for the purposes of this section, a violation of any lease or lease addendum, or cause to suspend or revoke a business license of a lessor of residential real property. However, any simultaneous or concurrent behavior constituting an ordinance violation, felony, or misdemeanor, occurring simultaneously or concurrent with the violation of the Illinois Domestic Violence Act, may be considered by the Administrative Hearing Officer and/or Mayor in any hearing conducted to determine the issuance of a fine or the suspension or revocation of the business license of a lessor of residential real estate property, under this section.

G. Failure to timely pay any fine imposed after hearing under this section.

H. ~~In the event the office of the mayor conducts hearing per section 5.02.190 et seq., to suspend or revoke the business license of a lessor of residential property, upon a finding of violation under this section, the mayor shall be authorized to order as to the lessor, any or all of the following:~~

- ~~a. Retraining and successful completion of a seminar, conducted or authorized by the Granite City police department, for lessors of residential rental units, within a time frame to be determined by the mayor;~~
- ~~b. Suspension of the lessor's business/landlord's license, for a time not to exceed thirty days;~~
- ~~c. Revocation of the lessor's business/landlord's license;~~
- ~~d. Imposition and timely payment of a fine in accordance with other city ordinance, including, but not limited to, Ordinance 8158.~~

2. The Administrative Hearing Officer as interpreted in this Granite City Municipal Code Section 1.01 et seq. shall hear all citations issued under this section.


A. Upon a finding of a violation under this section, the Hearing Officer shall be authorized to order as to the lessor, any or all of the following:

- a. Fines of no less than \$50.00 and no more than \$750.00 per violation under this section;
- b. Retraining and successful completion of a seminar, conducted or authorized by the Granite City police

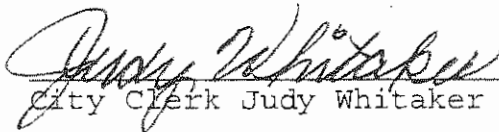
void, the remainder of this ordinance shall be deemed severable, and remain in full force and effect.

6. The effective date of this Amendment shall be June 1, 2013.

Passed this 2nd day of April, 2013.

APPROVE:   
Mayor Edward Hagnauer

ATTEST:

  
City Clerk Judy Whitaker